

REMARKS

With this Response claims 22, 32, and 37 are amended. No claims are added or canceled. Therefore, claims 22-41 are pending.

CLAIM REJECTIONS - 35 U.S.C. § 112

Claims 32-36 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the invention. There was no antecedent basis for the term "the remote device" in independent claim 32, and the remaining dependent claims were rejected for the same reason. Applicant amends claim 32 herein to change "the remote device" to --the network device--, for which there is antecedent basis. Thus, Applicant submits that this rejection is overcome, and respectfully requests that this rejection be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 22-30, 32-35, and 37-40 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,456,892 of Dara-Abrams et al. (*Dara-Abrams*). Applicant respectfully submits that these claims are not anticipated by the cited reference for at least the following reasons.

Applicant discussed the cited reference in a previous Response of 22 April 2005, which is applicable herein. In summary, Applicant disagrees with the interpretation of the cited reference of the Office Action. The Final Office Action at page 2 in the Response to Arguments section suggests that the interpretation of the Office Action is applicable because the Final Office Action considers the claim expression "remotely from the remote device" to be unclear. Specifically, the Final Office Action asserts that the expression can be applicable to multiple different parts of the claim. Applicant does not agree with this assertion; however, in an attempt to expedite the

prosecution of this case, Applicant amends the independent claims herein to further clarify that the expression "remotely from ..." applies to both the command-set unaware GUI and the command set aware user interface of claim 22, and to both the GUI and the CUI of claims 32 and 37. Thus, Applicant respectfully submits that the claims are clear in their language, and make clear that the interpretation of the Office Action does not apply to these claims. Thus, Applicant submits that the cited reference does not anticipate the invention as recited in the independent claims.

Regarding the dependent claims, Applicant submits that these claims are not anticipated by the cited reference for at least the same reasons as stated for the independent claims.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 31, 36, and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dara-Abrams* in view of U.S. Patent No. 6,434,447 of Shteyn (*Shteyn*). These rejections are each predicated upon the rejection of the independent claims 22, 32, and 37, discussed above. *Dara-Abrams* is shown to fail to disclose the invention as recited in the independent claims. *Shteyn* discusses a controller having an abstract representation of a remote device. Whether or not *Shteyn* discloses what is asserted in the Office Action, which Applicant does not concede, the reference fails to cure the deficiencies of *Dara-Abrams*, and in fact suffers the same deficiencies with respect to the independent claims as discussed above. Therefore, the independent claims are nonobvious under MPEP § 2143 over the cited references because the cited references, whether alone or in combination, fail to disclose at least one element of the claimed invention. These claims depend from the independent claims discussed above. Claims that depend from nonobvious base claims are also nonobvious. MPEP § 2143.03. Therefore, Applicant

respectfully submits that these claims are not rendered obvious by the cited references for at least the reasons set forth above.

CONCLUSION

For at least the foregoing reasons, Applicant submits that all rejections have been overcome, placing all pending claims in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the above-referenced application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 9/7/05

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I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail on the below date with sufficient postage in an envelope addressed to:
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Signature

Katherine Jennings
Katherine Jennings

Date

September 7, 2005